

## 4.031

### Justifiable Use of Force

A [parent] [guardian] [teacher] [correctional official] [person]<sup>1</sup> responsible for the care and supervision of [a minor] [an incompetent person] [others] is justified in using physical force [but not deadly physical force]<sup>2</sup> when used appropriately

1. [to maintain [order or] discipline]<sup>3</sup>; or
2. [to prevent suicide or self-injury].

[A person responsible for order where others are assembled may use deadly force where reasonably necessary to prevent death or serious physical injury].<sup>4</sup>

[A physician or nurse may use physical force to render medical treatment in an emergency where consent cannot be obtained but would ordinarily be given by the victim or relative].<sup>4</sup>

**Source:** A.R.S. § 13-403(1).

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<sup>1</sup>Use language in brackets as appropriate to the facts.

<sup>2</sup>Use this language only if deadly physical force is an issue. In that case the definition of "deadly physical force", Instruction 1.059, should also be given.

<sup>3</sup>"To prevent commission of a felony or misdemeanor" is not mentioned because that concept appears covered by the concept of maintaining discipline or order.

<sup>4</sup>Use these versions only if evidence supports them.